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AUG 31 2011 UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
U. S. DISTRICT COURT EASTERN DIVISION  
EASTERN DISTRICT OF MO  
ST. LOUIS

Donita Pendleton 88160 6B  
Chillicothe Coerrectional Center  
3151 Litton Road  
Chillicothe, Missouri 64601

Jenifer Milleron  
Respondant

Vs.

Donita Pendleton  
Petitioner

No. 4:11-CV-1116-TIA

PETITION TO SHOW CAUSE

Comes now, Petitioner Donita Pendleton 88160, requests the Honorable court to accept this petition to show just cause as to why petitioner instant petition should not be time-barred.

The United States Supreme Court has recongnized the importance and purpose of the Federal Habeas Review, Which is to correct a fundamentally unjust conviction or sentence.

Thus in addition to allowing a petitioner to demonstrate cause for a default and actual prejudice to allow federal review, the court has held that an additional exception to procedural bar exists if a petitioner can demonstrate a fundemental miscarriage of justice.

The petitioner asserts these facts as to why the instant petition of Habeas Corpus should not be time-barred under 28 U.S.C. & 2244(D) (1). Also under 28 U.S.C. a claim of actual innocence

nce can be used as a gateway through which a habeas petitioner must pass to have his otherwise barred constitutional claim considered on the merits of actual innocence. The petitioner would like to request a Evidentiary Hearing to address all the Constitutional rights that were violated by the 1degree Murder conviction that was gained by duress and manipulation.

The Petitioner formally request that a Evidentiary hearing be awarded or any other relief the court see's fit in this case.

Respectfully'



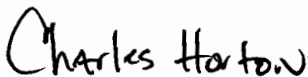
Donita Pendleton

STATE OF MISSOURI )

COUNTY OF LIVINGSTON )

SUBSCRIBED and sworn to me this 26th day August 20 11 .

My Commission Expires: March 10, 2012



NOTARY PUBLIC

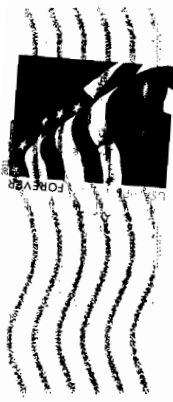
SEAL:



CHARLES HORTON  
My Commission Expires  
March 10, 2012  
Livingston County  
Commission #08500411

Danita Pendleton # 88160 603 110A  
Chillicothe Correctional Center  
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KANSAS CITY 641-661  
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AUG 26 2011

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**United States District Court**

Eastern District of Missouri AUG 31 2011

U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

111 S. Tenth Street  
St. Louis, Missouri 63102

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